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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,932	01/30/2004	Ji-Soo Kim	SEC.761D	3956

20987 7590 11/17/2005

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EXAMINER

KACKAR, RAM N

ART UNIT PAPER NUMBER

1763

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/766,932

Applicant(s)

KIM ET AL.

Examiner

Ram N. Kackar

Art Unit

1763

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/30/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 15-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Shimizu et al (JP 09115889).**

Shimizu et al disclose a reaction chamber (Fig 1), a rotatable spin chuck to support semiconductor substrates (4), a gas supply unit for etching comprising gas injection unit having plurality of gas injection openings oriented to inject the process gas in a horizontal direction parallel to the upper surface of the semiconductor and disposed on an inner side of the reaction chamber (casing) (8 and 5) and a gas outlet for exhaustion (9).

Regarding the composition of gases, it is an intended use limitation. The apparatus is disclosed capable of etching function and for example shows HF and Nitrogen gas being introduced in the reaction chamber.

3. **Claim 15 is rejected under 35 U.S.C. 102(b) as being anticipated by MacLeish et al (US 5653808).**

MacLeish et al disclose a reaction chamber (Fig 2), a rotatable spin chuck to support semiconductor substrate (50), a gas supply unit oriented to inject the process gas in a horizontal

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direction parallel to the upper surface of the semiconductor and disposed on an inner side of the reaction chamber (28) and a gas outlet for exhaustion (30).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 16-19 are also rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu et al (JP 09115889) in view of Tai et al (US 6162367).**

Shimizu et al disclose a reaction chamber (Fig 1), a rotatable spin chuck to support semiconductor substrates (4), a gas supply unit for etching comprising gas injection unit having plurality of gas injection openings oriented to inject the process gas in a horizontal direction parallel to the upper surface of the semiconductor and disposed on an inner side of the reaction chamber (casing) (8 and 5) and a gas outlet for exhaustion (9).

As explained above these claims are intended use limitation.

However Tai et al disclose an etching system using bromine trifluoride for micromachining operation (Col 2 lines 8-20) as the etching gas introduced as pulse or continuously and in parallel with the substrates (Fig 1A). Tai et al further teach that reaction gas could be diluted with other gas (Col 2 lines 20-27).

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Therefore it would have been obvious for one of ordinary skill in the art at the time of invention to have used gases as taught by Tai et al for micromachining process in the apparatus disclosed by Shimizu et al.

6. **Claims 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu et al (JP 09115889) in view of tai et al (US 6162367) and Peterson et al (US SIR H1962 H)**

Shimizu et al in view of Tai et al disclose gas introduction in pulse form but fail to disclose specific valve (puff valve) to do that.

Peterson et al disclose a fast acting puff valve for injecting gases in a vacuum chamber for generating dense plasma (Col 1 lines 5-15 and Col 2 lines 30-35).

Therefore using puff valve for injecting gases in pulse form for generating high density plasma would have been obvious to one of ordinary skill in the art at the time of inventions.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ram N. Kackar whose telephone number is 571 272 1436. The examiner can normally be reached on M-F 8:00 A.M to 5:P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parviz Hassanzadeh can be reached on 571 272 1435. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ram Kackar
Examiner AU 1763